

Bill No. G-08-02

Ordinance No. G-08-03

AN ORDINANCE TO AMEND SEWER BOARD MEMBERSHIP

WHEREAS, the above referenced ordinance provides that the membership of the New Albany Sewer Board shall consist of five (5) members; and,

WHEREAS, this Common Council, as the fiscal body of the City of New Albany, has at times remained responsible to provide for the financial operation of the New Albany Sewer Utility, specifically including, but not limited to, such matters as the issuance of debt and the setting of rates, and this Common Council further intends to continue maintaining such responsibility; and,

WHEREAS, this Common Council further understands that the New Albany Sewer Board is not presently constituted in the manner required by the specific provisions of IC 36-9-23-4, and it is the intent of this ordinance to replace the presently constituted Sewer Board and to bring the composition of the New Albany Sewer Board into compliance with such statutory requirements.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW ALBANY, INDIANA HEREBY AMENDS THE SECTIONS OF CHAPTER 51.115 AS FOLLOWS:

(D) Membership. The membership of the New Albany Sewer Board shall hereinafter consist of the following:

(1) The Mayor of New Albany, or the Mayor's designee, who shall serve as chairman at all times during his tenure in such office;

(2) Two (2) members, appointed by majority vote of the members of the Common Council, provided that one (1) such member shall be the City Engineer or a registered professional engineer, and further provided that such non City Engineer person shall not be a paid or unpaid official or employee of the City.

(3) The New Albany Sewer Board shall select a vice chairman.

(E) Quorum. A quorum at any properly convened regular or special meeting of the New Albany Sewer Board shall consist of at least two (2) members.

(F) Terms. The Common Council shall designate one of its appointees to serve an initial term of two (2) years, and the other appointee to serve an initial term of three (3) years.

(G) Compensation. The members of the New Albany Sewer Board shall be entitled to

such compensation as is fixed by the Mayor of New Albany, subject to the approval of this Common Council. Each of the members of the New Albany Sewer Board shall further be entitled to the payment for reasonable expenses incurred in the performance of their duties, but such compensation shall not exceed the sum of One Thousand Two Hundred Dollars (\$1,200.00) annually per person (\$100.00 per month) annually unless approved by the Council before being incurred.

(H) Secretary and Treasurer.

The New Albany Sewer Board shall select a secretary and a treasurer, who need not be members of the Board. However, the Board may combine the offices of the secretary and treasurer into a single office of secretary-treasurer. The secretary, treasurer, or secretary-treasurer of the New Albany Sewer Board shall be entitled to compensation as fixed by the Mayor of New Albany, subject to the approval of this Common Council. This Common Council understands that the New Albany City Clerk as its secretary and the New Albany City Controller as its Treasurer.

(I) Bond.

(1) This Common Council hereby determines that no bond shall be required of the Mayor as chairman of the New Albany Sewer Board.

(2) This Common Council hereby further hereby fixes the bond required of the Mayor's designee and appointed members of the New Albany Sewer Board in the amount of \$5,000.00 each.

(3) This Common Council further hereby fixes the bond required of the treasurer of the New Albany Sewer Board in the amount of \$20,000, provided that the requirement of such bond shall be waived if the treasurer appointed by the New Albany Sewer Board is the City Controller.

(4) The City Clerk shall file all such bonds with the County Recorder, as provided by IC 5-4-1-5.1.

(L) The Existing Paragraph (L) is hereby deleted.

This ordinance shall take effect immediately after its passage by the Common Council and approved by the Mayor in accordance with the provisions of Indiana Law.

SO ORDAINED BY THIS COMMON COUNCIL, THIS 23 DAY OF January, 2008.

  
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Jeff Gahan, President  
New Albany Common Council

Attest: Marcey J. Wisman  
Marcey Wisman, City Clerk

CERTIFICATE OF PRESENTATION TO MAYOR

The undersigned hereby certifies that the Ordinance set forth hereinabove was presented by me as the duly elected New Albany City Clerk to the Mayor of the City of New Albany this 28 day of Dec., 2008.

Marcey J. Wisman  
Marcey Wisman, City Clerk

APPROVAL BY MAYOR

The Ordinance set forth hereinabove was accepted and approved by me as Mayor of the City of New Albany, Indiana, this 28 day of January, 2008.

Douglas B. England  
Douglas B. England, Mayor,  
City of New Albany, Indiana

Attest: Marcey J. Wisman  
Marcey Wisman, City Clerk